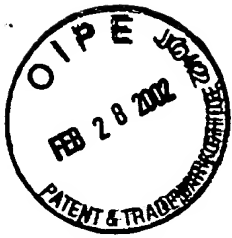


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NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF APPEALS
(Case No. 99-499)

PATENT

RECEIVED

MAR 11 2002

TECH CENTER 1600/2900

In re Application of:

Chou et al.

Serial No.: 08/903,944

Filed: July 31, 1997

For: Transgenic Poinsettia

Art Unit: 1638

Examiner: David T. Fox

TRANSMITTAL LETTER

Box AF
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Petition for Extension of Time;
- b) Notice of Appeal; and
- c) return receipt postcard.

2. With respect to fees:

- a) Enclosed is a check in the amount of \$1,240.00.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on January 28, 2002.

Respectfully submitted,

Date: January 28, 2002

Michael S. Greenfield
Registration No. 37,142